PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, JANAURY 14 19 86

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE COUNCIL CHAMBERS Tuesday EVENING January 14 A.D., 19 86, IN Regular SESSION. PRESIDENT Samuel J. Talarico IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS VIZ:

BRADBURY P, BURNS P, EISBART P,
GiaQUINTA P, HENRY P, REDD P,
SCHMIDT, STIER P, TALARICO P,

ABSENT: Schmidt

COUNCILMAN: , , ,

THE INVOCATION WAS GIVEN BY

THE MINUTES OF THE LAST REGULAR , 19 ,

, 19 ,

SPECIAL , 19 ,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.

The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

12 December 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a portion of an alley.

The proposed ordinance is designated as:

BILL NO. G-85-11-63

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
12th day of December 1985.

Melvin O. Smith
Secretary

FACT SHEET

G-85-11-63

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE Alley Vacation Ordinance

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address
The first alley south of Superior Street from the east property line of Webster Street to its eastern terminus.

Reason for Project

SEE DISCUSSION BELOW

Discussion (Including relationship to other Council actions)

18 November 1985 - Public Hearing

Staff Secretary for the Plan Commission stated that this vacation was originally applied for along with a portion of Webster Street in 1984. The legal description that was placed in the newspapers at that time omitted the description of the alley, the error was discovered recently by Street Engineering. In order to make the vacation legal it is required by State law that the legal be published in the paper. It was stated that by republishing this alley vacation and holding a public hearing it would clear up the paperwork.

There was no one present who wished to speak in favor of or in opposition to the proposed vacation.

25 November 1985 - Business Meeting

Of the 7 members present 6 voted in favor of vacating the alley one did not vote. Motion to vacate carried.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** City Plan Commission **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	[X] For [ ] Against **Reason Against**
Board or Commission Recommendation	**By** [XX] For [ ] Against [ ] No Action Taken [ ] For with revisions to conditions (See Details column for conditions
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start — Date November 26, 1985

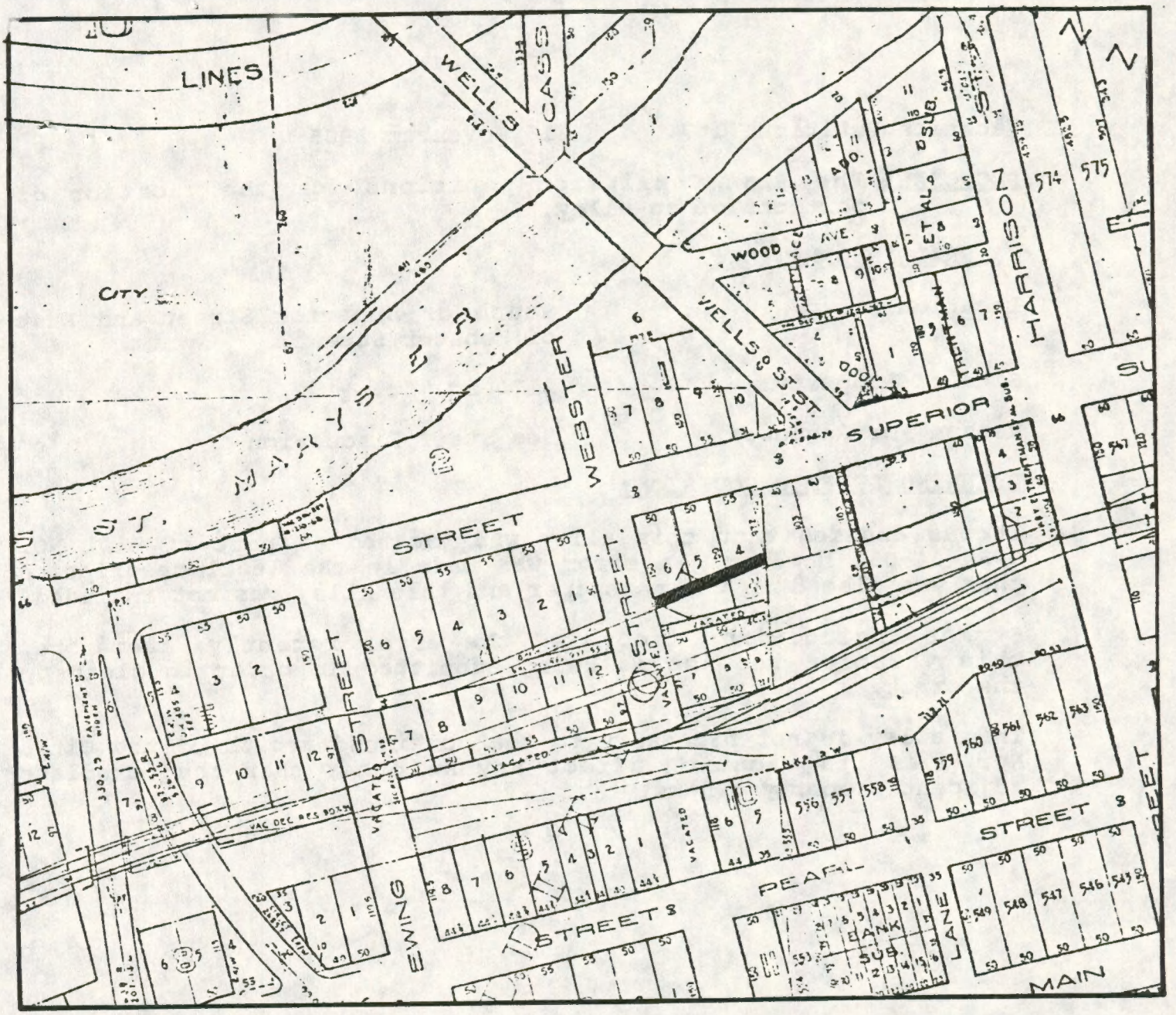
Projected Completion or Occupancy — Date December 18, 1985

Fact Sheet Prepared by — Date December 18, 1985

Patricia Biancaniello

Reviewed by — Date 12/18/85

Reference or Case Number



A PETITION TO VACATE THE ABOVE DESCRIBED PORTION OF ALLEY.

Vacation Petition #167

MAP NO. L-6

C-85-11-63

1-4-84

Vacation Petition #167 18 November 1985

PROPOSAL: The Plan Commission petitions for the vacation of portions of an alley.

GENERAL INFORMATION:

Location:	South of Superior Street and East of Webster Street.
Size of Property:	2170 sq. ft. ±
Reason For Request:	See Staff Discussion

PLANNING STAFF DISCUSSION:

It was assumed that this alley was vacated as part of Bill NO. G-84-04-05, however, an error was made in the legal description that was placed in the newspaper and this alley was not included.

Street Engineering discovered the error recently; therefore, this vacation request is being submitted in order to clear up the error.

This alley is not necessary to the continued growth of the City. Nor does its vacation affect anyone other than the immediate adjacent property owners.

RECOMMENDATION: Approval

RESOLUTION

WHEREAS, CITY OF FORT WAYNE, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public alley in Fort Wayne, Allen County, to-wit:

All of that alley situated in the City of Fort Wayne, Allen County and State of Indiana, and being part of Sublots Nos. 4 to 6 inclusive in Block three (3) of Ewing's Addition to the City of Fort Wayne, and being more particularly bounded and described as follows:

Beginning at the southwestern point of said alley which is 25.13 feet north of the southwest corner of Sublot No. 6 as measured along the Eastern edge of Webster Street as plated in plat book 2, page 40 in the Allen County Recorder's Office; thence continuing in a Northeasterly direction along the South right-of-way line of said alley a distance of one hundred fifty-four (154) feet to the East property line of Sublot No. 4, thence North along the East property line of Sublot No. 4 a distance of fourteen (14) feet; thence in a Southwesterly direction, along the North right-of-way of said alley a distance of 156.56 feet to a point on the Easterly line of Webster Street, as platted in plat book 2, page 40; thence south along the easterly line of Webster Street a distance of fourteen (14) feet to the place of beginning,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on November 18, 1985 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said portion of public alley.

WHEREAS, said vacation of the portion of public alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of public alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of public alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said portion of public alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said portion of public alley in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held November 18, 1985, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 19 DAY OF November 1985

FORT WAYNE CITY PLAN COMMISSION

Melvin O. Smith
Secretary

RESOLUTION 75-129-8

WHEREAS, the CITY OF FORT WAYNE has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public alley situated in Fort Wayne, Allen County, to-wit:

All of that alley situated in the City of Fort Wayne, Allen County and State of Indiana, and being part of Sublots Nos. 4 to 6 inclusive in Block three (3) of Ewing's Addition to the City of Fort Wayne, and being more particularly bounded and described as follows:

Beginning at the southwestern point of said alley which is 25.13 feet north of the southwest corner of Sublot No. 6 as measured along the Eastern edge of Webster Street as plated in plat book 2, page 40 in the Allen County Recorder's Office; thence continuing in a Northeasterly direction along the South right-of-way line of said alley a distance of one hundred fifty-four (154) feet to the East property line of Sublot No. 4, thence North along the East property line of Sublot No. 4 a distance of fourteen (14) feet; thence in a Southwesterly direction, along the North right-of-way of said alley a distance of 156.56 feet to a point on the Easterly line of Webster Street, as platted in plat book 2, page 40; thence south along the easterly line of Webster Street a distance of fourteen (14) feet to the place of beginning,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of portion of public alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Pubilc Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of public alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of public alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

RESOLUTION
Bill No. G-85-

Page two

I, David J. Kiester, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held November 20, 1985 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 20th DAY OF November, 1985

FORT WAYNE BOARD OF PUBLIC WORKS

David J. Kiester
Director of Public Works

Cosette R. Simon
Director of Administration & Finance

Lawrence D. Consalvos
Director of Public Safety

The City of Fort Wayne

CITY-COUNTY BUILDING, ONE MAIN STREET
FORT WAYNE, INDIANA

CITY PLAN COMMISSION

17 December, 1985

TO: The Common Council
City of Fort Wayne

RECOMMENDATION

OF THE

CITY PLAN COMMISSION

BE IT HEREBY RESOLVED that the City Plan Commission recommends DO PASS for the 1986-1990 Capital Improvements Program.

Certified and signed this
17th day of December, 1985.

Melvin O. Smith, Secretary

bjs

Memorandum

To City Council Date 12/17/85

From Michael Graham, Community Development and Planning MG

Subject 1986-1990 CIP Presentation

COPIES TO:

C. Redd
D. Schmidt
T. Henry
B. Eisbart
M. GiaQunita
J. Stier
J. Bradbury
P. Burns
S. Talarico
G. Martin

Attached is the 1986-1990 CIP. At the December 16th Plan Commission meeting a Public Hearing and a presentation was made by department heads of their five year capital improvement program. At the December 23rd City Council meeting you will be able to address any questions you might have regarding specific capital improvements to the appropriate department head. After that, a resolution will be passed approving the 1986-1990 CIP.

If there are any questions, please contact me at 427-1140, extension 4835.

MG/eh

The City of Fort Wayne
LAND USE MANAGEMENT
Division of Community Development & Planning

18 December 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-12-10

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
18th day of December 1985.

Melvin O. Smith
Secretary

FACT SHEET

Z-85-12-10

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Ordinance Amendment		

DETAILS

Specific Location and/or Address

313 E. Leith Street & 2720 So. Lafayette

Reason for Project

Discussion (Including relationship to other Council actions)

WITHDRAWN AT THE REQUEST OF THE PETITIONER

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	☐ For ☐ Against Reason Against
Board or Commission Recommendation	By ☐ For ☐ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start Date 17 October 1985

Projected Completion or Occupancy Date 18 December 1985

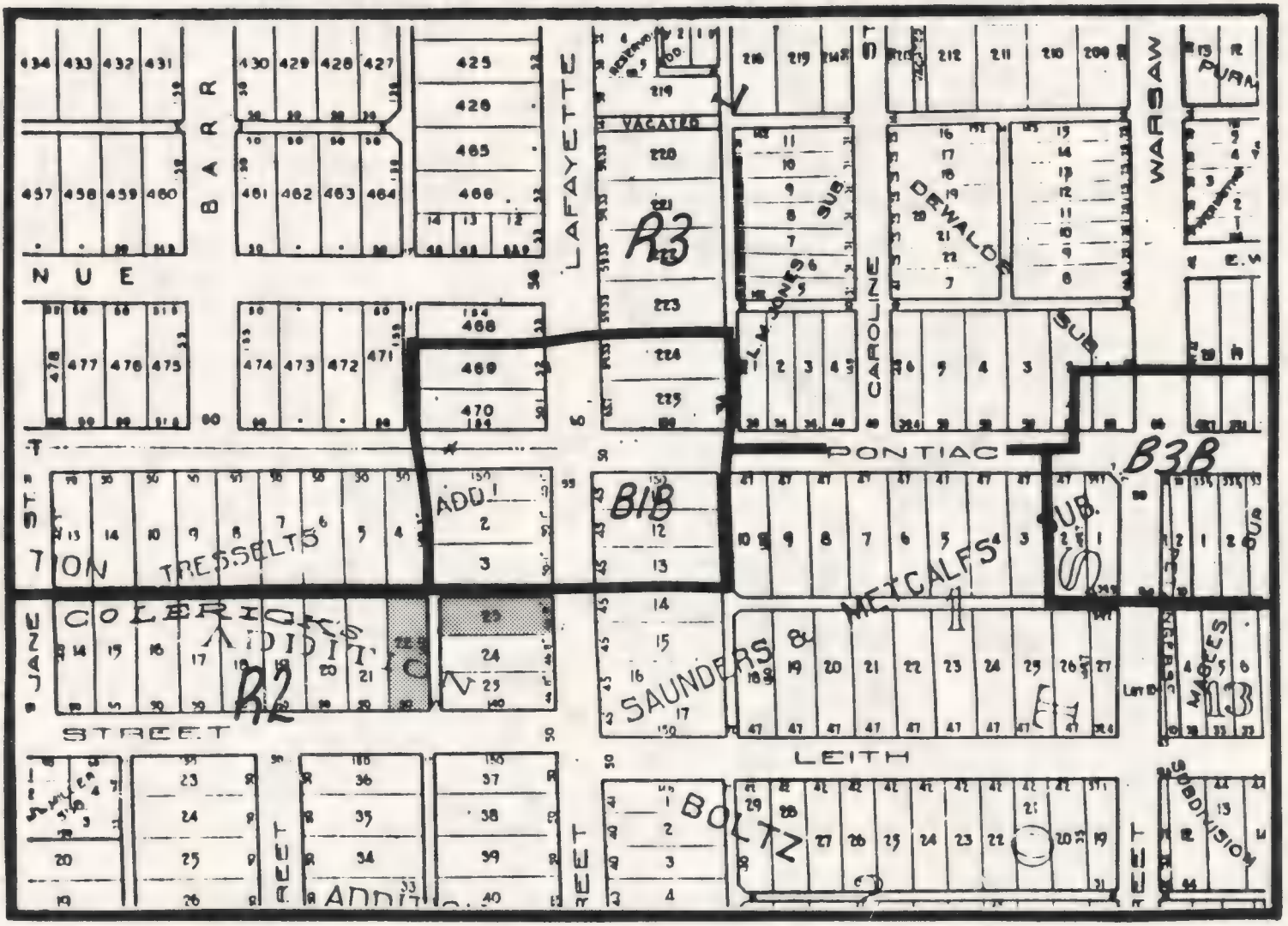
Fact Sheet Prepared by Date 18 December 1985

Patricia A. Biancaniello

Reviewed by Date 12/18/85

Reference or Case Number

GENERAL LOCATION MAP FOR 313 E. LEITH ST. & 2720 S. LAFAYETTE ST.



Zoning:

R2 RESIDENTIAL DISTRICT
R3 RESIDENTIAL DISTRICT
B1B LIMITED BUSINESS 'B'
B3B GENERAL BUSINESS 'B'

Land Use:

NORTH

Scale: 1" = 200'

Date: 10-29-85

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 10, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-12-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as require by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 18, 1985, and,

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 25, 1985.

Certified and signed this
18th day of December 1985.

Melvin O. Smith
Secretary

The City of Fort Wayne
LAND USE MANAGEMENT
Division of Community Development & Planning

18 December 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-08-36

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
18th day of December 1985.

Melvin O. Smith
Secretary

FACT SHEET

Z-85-08-36
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE: Zoning Ordinance Amendment

APPROVAL DEADLINE:

REASON:

DETAILS

Specific Location and/or Address

3919 W. Jefferson Blvd.

Reason for Project

Discussion (Including relationship to other Council actions)

WITHDRAWN AT REQUEST OF PETITIONER

POSITIONS / **RECOMMENDATIONS**

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	☐ For ☐ Against Reason Against
Board or Commission Recommendation	By ☐ For ☐ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for conditions
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start Date 16 July 1985

Projected Completion or Occupancy Date 18 December 1985

Fact Sheet Prepared by Date 18 December 1985

Patricia A. Biancaniello

Reviewed by Date

Gary Baxter 12/18/85

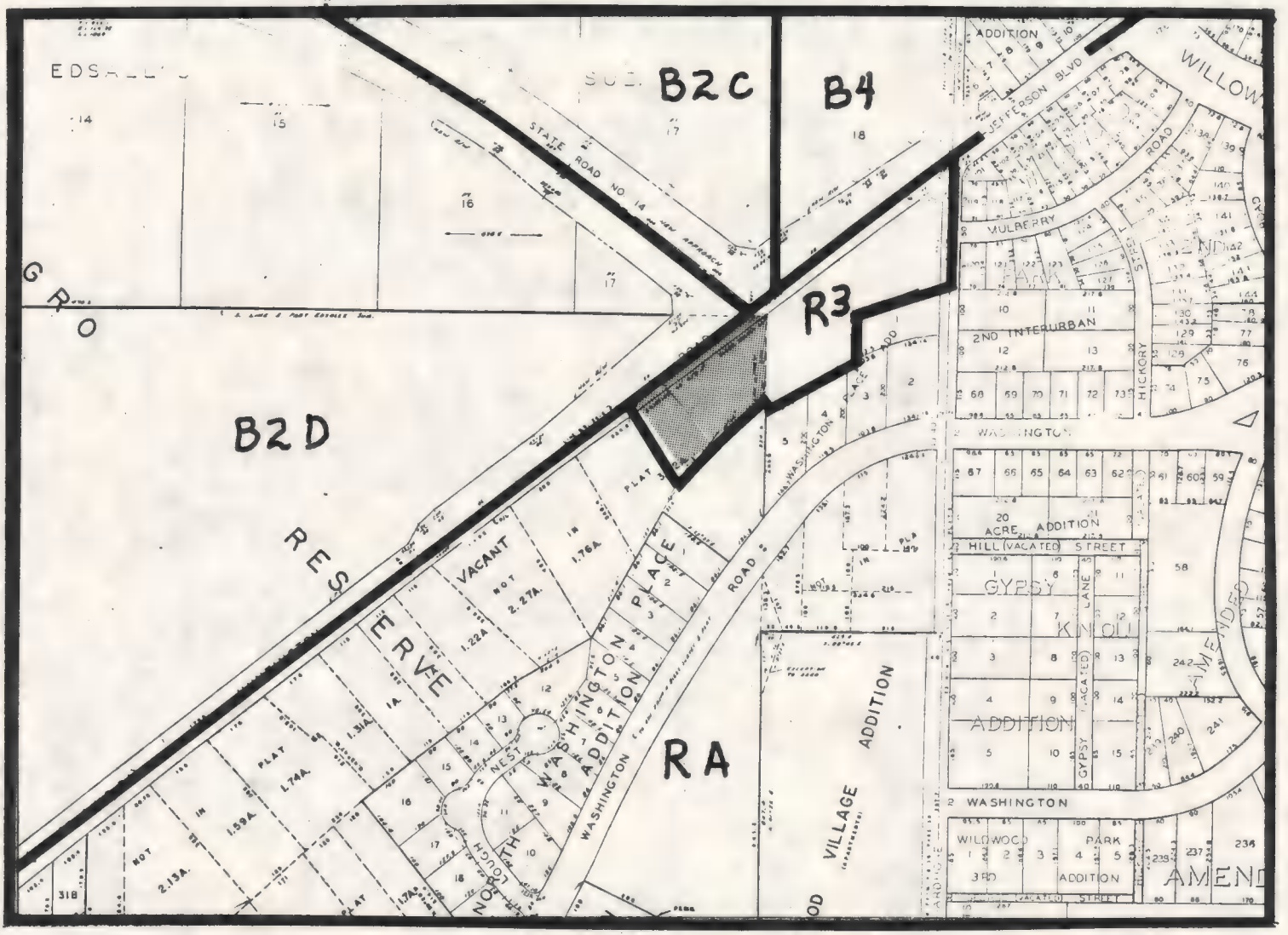
Reference or Case Number

ZONING PETITION #145

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM R-3 DISTRICT TO B-1-A DISTRICT.

MAP NO. G-2

COUNCILMANIC DISTRICT NO. 4



Zoning:

- B4 ROADSIDE BUSINESS
- B2C SHOPPING CENTER - METROPOLITAN
- B2D SHOPPING CENTER - REGIONAL
- RA RESIDENCE 'A'
- R3 MULTIPLE FAMILY RESIDENCE

Land Use:

- [S] SINGLE FAMILY
- [M] MULTIPLE FAMILY
- [C] COMMERCIAL

BILL NO. Z-85-08-36

NORTH

Scale: 1" = 275'

Date: 8-7-85

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 27, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-08-36; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as require by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 19, 1985; and,

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 26, 1985.

Certified and signed this
18th day of December 1985.

Melvin O. Smith
Secretary

The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

23 December 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of dedicated right-of-way.

The proposed ordinance is designated as:

BILL NO. G-85-11-62

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
23rd day of December 1985.

Melvin O. Smith
Secretary

FACT SHEET

G-85-11-62
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE: Alley VAcation Ordinance

APPROVAL DEADLINE:

REASON:

DETAILS

Specific Location and/or Address
North-South alley between Lewis & Douglas; East-West alley between Lafayette and Clay

Reason for Project

To allow for new construction.

Discussion (Including relationship to other Council actions)

18 November 1985 - Public Hearing

Wayne Witmer, attorney for Fort Wayne Community Schools, the petitioner stated that the Community schools has acquired all of the property bounded by Lewis, Clay, Douglas and South Lafayette Streets, with the exception of 1 1/2 lots at the northwest corner of Clay and Douglas which houses the Friendship Baptist Church. He stated that FWCS intends to construct an Automotive Center, an extension of the Regional Vpcational Center. He stated that it is contemplated that construction will be started within the next 30 to 60 days. He stated that there are ongoing discussions with the utilities, because they will obviously need to service the facility. He stated they will have to relocate the utilities and fully intend to corporate with them in doing so.

There was no one present who wished to speak in favor of or in opposition to the proposed vacation.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Fort Wayne Community Schools City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	[X] For [ ] Against Reason Against
Board or Commission Recommendation	By [X] For [ ] Against [ ] No Action Taken [ ] For with revisions to conditions (See Details column for conditions
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start Date August 15, 1985

Projected Completion or Occupancy Date December 23, 1985

Fact Sheet Prepared by Date December 23, 1985

Patricia Biancaniello

Reviewed by Date 12/23/85

Gary Burton

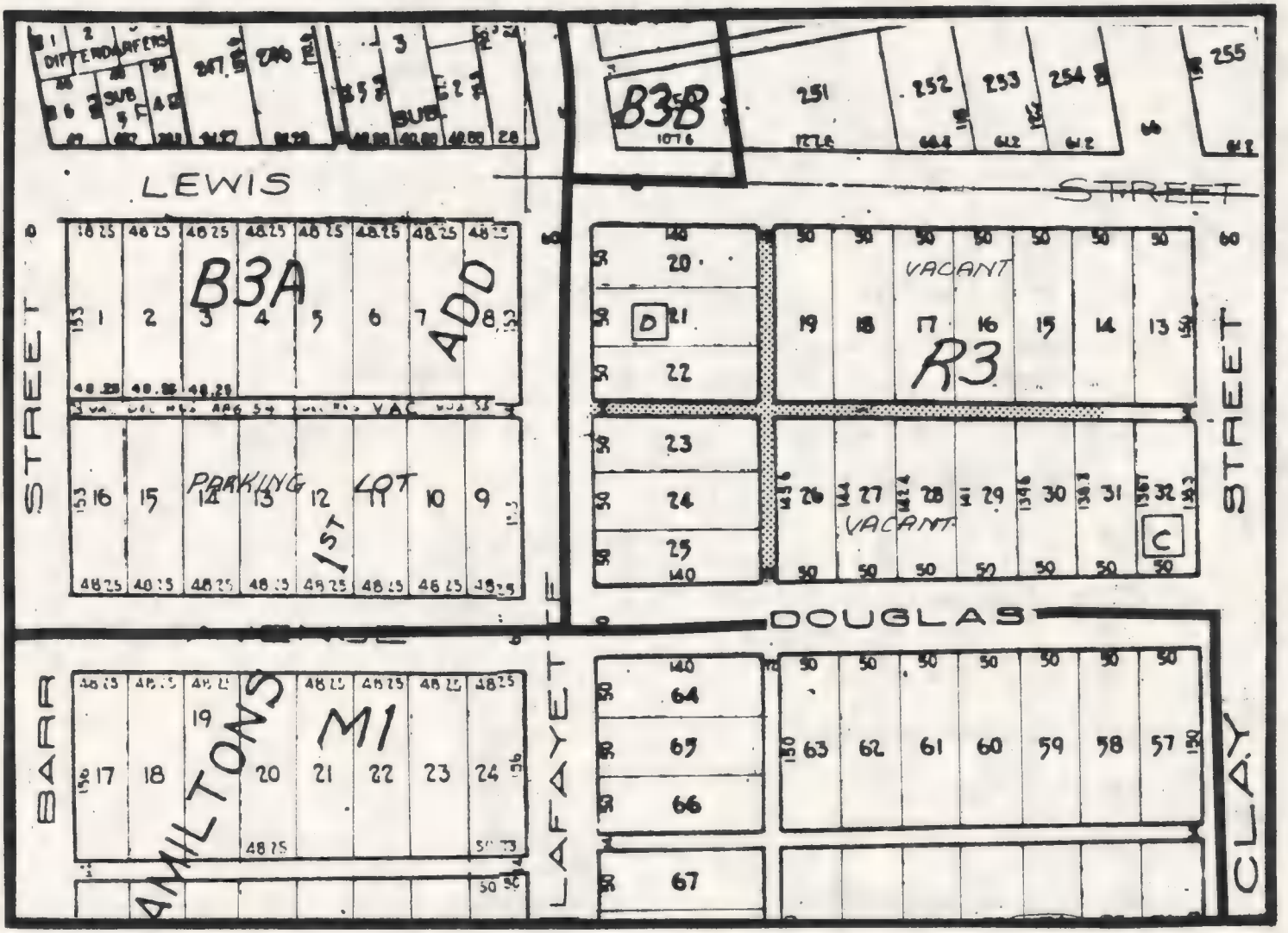
Reference or Case Number

VACATION PETITION #155

A PETITION TO VACATE THE DESCRIBED PORTIONS OF PUBLIC ALLEYS

MAP NO. N-2

COUNCILMANIC DISTRICT NO. 1



Zoning:

R3 RESIDENTIAL DISTRICT
B3A GENERAL BUSINESS 'A'
B3B GENERAL BUSINESS 'B'
MI LIGHT INDUSTRY

Land Use:

[D] DOCTOR'S OFFICE
[C] CHURCH

6-R5-11-62

NORTH

L.W.

Scale: 1" = 165'

Date: 8-27-85

Vacation Petition #155 18 November 1985

PROPOSAL: Fort Wayne Community Schools petitions for vacation of two alleys.

GENERAL INFORMATION:

Location:	The alleys located on the block bounded by Lewis, Clay, Douglas, and Lafayette Streets (except the east 75 feet thereof).
Legal Description:	Metes & Bounds in File
Existing Zoning:	D/N/A
Size of Property:	9800 sq. ft. ±
Surrounding Land Use & Zoning:	Block is zoned R-3.
Applicable Regulations:	Existing public right-of-way.

SPECIAL INFORMATION:

Public Utilities:	Available
Physicial Characteristics:	Alley does not serve as ingress/egress to other properties.
Comprehensive Plan:	No Comment
Neighborhood Planning:	No Comment
Urban Design:	No Comment
HANDS:	No Comment
Housing Authority:	No Comment
SHED:	No Comment

PLANNING STAFF DISCUSSION:

The existing alley is in need of repair and maintenance. However, the little amount of development in this area indicates that the actual need of this alley is limited.

Petitioner states that they are owners of the abutting real estate, and that no one else is affected by such vacation.

We see no objection to the petition, providing that the petitioner provides utility easements as needed.

RECOMMENDATION: Approval

RESOLUTION 75-144-13

WHEREAS, FORT WAYNE COMMUNITY SCHOOLS, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public right-of-way situated in Fort Wayne, Allen County, to-wit:

(1) The north-south 12-foot alley lying west of and adjacent to Lots 19 and 26 in Lewis Addition, extending from Lewis Street to Douglas Avenue.

(2) The east-west 14-foot alley lying south of and adjacent to Lots 13 through 19, and Lot 22 in said Lewis Addition, extending from Lafayette Street to Clay Street, excepting therefrom the east 75 feet thereof.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of portion of public right-of-way has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Pubilc Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of public right-of-way hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of public right-of-way hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public right-of-way or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, David J. Kiester, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held December 18, 1985 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 18th DAY OF December 1985

FORT WAYNE BOARD OF PUBLIC WORKS

David J. Kiester

David J. Kiester
Director of Public Works

Cosette R. Simon
Director of Administration & Finance

Lawrence D. Consalvos

Lawrence D. Consalvos
Director of Public Safety

RESOLUTION

WHEREAS, FORT WAYNE COMMUNITY SCHOOLS, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public right-of-way in Fort Wayne, Allen County, to-wit:

(1) The north-south 12-foot alley lying west of and adjacent to Lots 19 and 26 in Lewis Addition, extending from Lewis Street to Douglas Avenue.

(2) The east-west 14-foot alley lying south of and adjacent to Lots 13 through 19, and Lot 22 in said Lewis Addition, extending from Lafayette Street to Clay Street, excepting therefrom the east 75 feet thereof.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on November 18, 1985, at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said portion of public right-of-way.

WHEREAS, said vacation of the portion of public right-of-way has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of public right-of-way hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of public right-of-way hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said portion of public right-of-way or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said portion of public right-of-way in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held November 25, 1985, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 23 DAY OF December 1985

FORT WAYNE CITY PLAN COMMISSION

Melvin O. Smith
Secretary

The City of Fort Wayne
LAND USE MANAGEMENT
Division of Community Development & Planning

6 January 1986

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-12-07

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
6th day of January 1986.

Melvin O. Smith
Secretary

FACT SHEET

Z-85-12-07
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE
Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

6400 Block Lima Road

Reason for Project

To construct an office building.

Discussion (Including relationship to other Council actions)

16 December 1985 - Public Hearing

Phil Charais, representing Mr. Hugh Johnston the owner of the property stated that they wished to rezone in order to construct an office building on the property. He stated that he had contacted the Ludwig Park Association and two of the adjacent property owners and spoke with them regarding the screening and landscaping of the property. He stated that they have agreed to work with the neighborhood if the rezoning is approved.

Mel Smith questioned what the height of the buildings would be.

Mr. Charais stated they would be 1-story.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Hugh Johnston City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	[X] For [ ] Against Reason Against
Board or Commission Recommendation	By [X] For [ ] Against [ ] No Action Taken [ ] For with revisions to conditions (See Details column for conditions
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pass

DETAILS

30 December 1985 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

Of the 9 members present; 8 voted in favor of the rezoning; 1 did not vote.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** November 15, 1985

Projected Completion or Occupancy **Date** January 6, 1986

Fact Sheet Prepared by **Date** January 6, 1986

Patricia Biancaniello

Reviewed by **Date** 1/8/86

Reference or Case Number

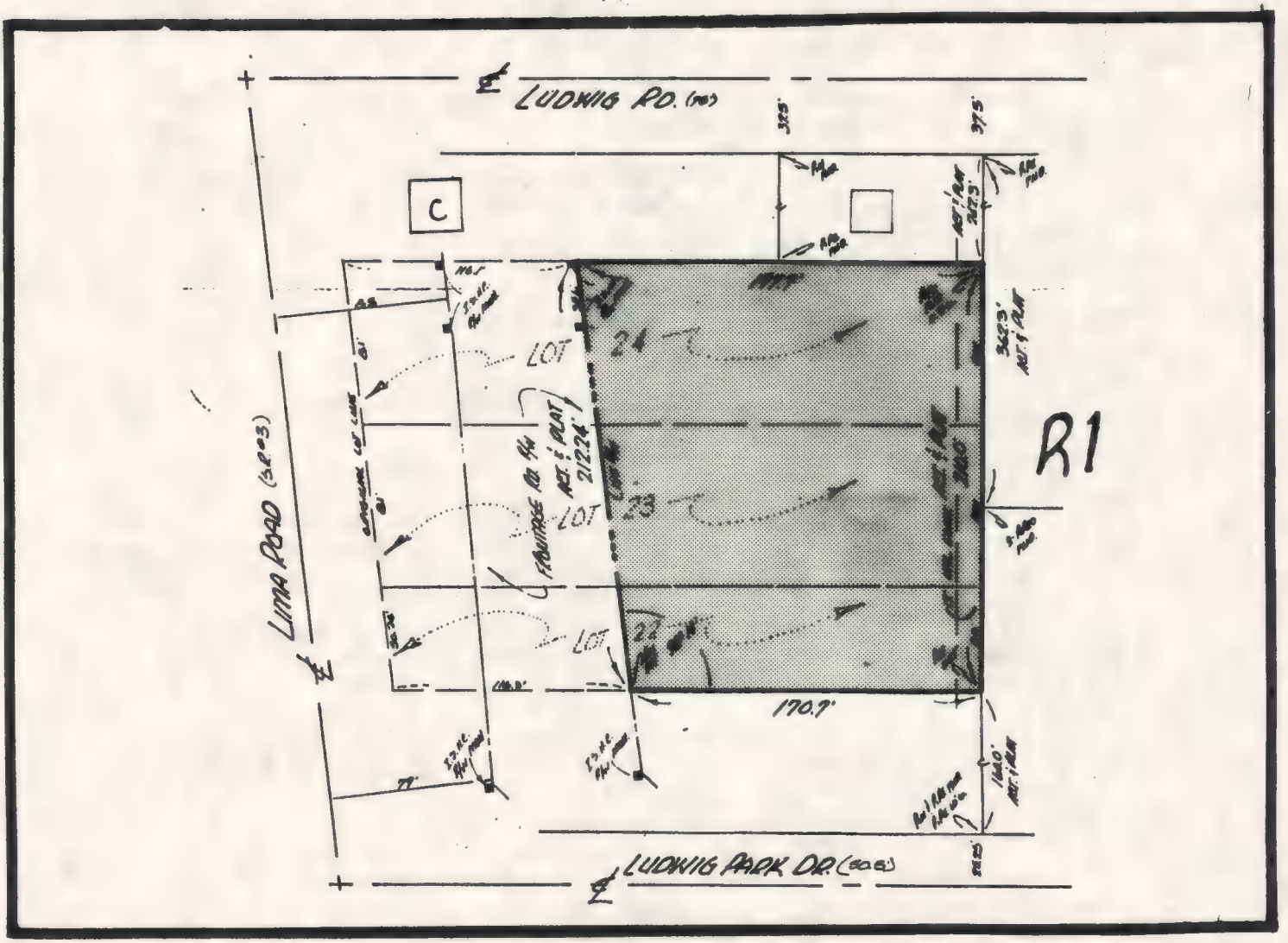
ZONING PETITION

#169

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-1 DISTRICT TO A B-1-B DISTRICT.

MAP NO. K-38

COUNCILMANIC DISTRICT NO. 3



Zoning:

R1 RESIDENTIAL DISTRICT

Land Use:

☐ SINGLE FAMILY

☒ COMMERCIAL

Rec # 2-85-12-07

NORTH

L.W.

Scale: NOT TO SCALE

98

Date: 11-20-85

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 10, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-12-07; and

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on December 16, 1985;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resoluton adopted at the meeting of the Fort Wayne City Plan Commission held December 30, 1985.

Certified and signed this
6th day of January 1986.

Melvin O. Smith
Secretary

Change of Zone #169

PROPOSAL: Phillip Charais, on behalf of Hugh Johnstone, petitions for a change of zone from R-1 to B-1-B.

GENERAL INFORMATION:

Location:	On Lima Road, between Ludwig Park Park Drive and Ludwig Road.
Legal Description:	Lots 22, 23 and 24 of Tract 5 in Dreyer's Subdivision.
Existing Zoning:	R-1
Size of Property:	.88 acres ±
Surrounding Land Use & Zoning:	North - R-1 - Commercial South - R-1 - Open East - R-1 - SFR West - County - Commercial
Reason For Request:	Not Stated
Applicable Regulations:	R-1 is primarily a single family residential classification.

SPECIAL INFORMATION:

Public Utilities:	Available in general area.
Physical Characteristics:	Property is currently undeveloped.
Comprehensive Plan:	The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing land uses and should not establish an undesirable precedent in the area to be developed. The overall goal in the Outer Ring is to encourage growth in a balanced manner that is within or adjacent to existing development in the urban service area. In the North Sector, where this request is located, the goal is for orderly growth. Commercial uses along this section of Lima Road are consistent with the Comprehensive Plan.

Neighborhood Planning:	There is no Neighborhood Plan to cover the area in the proposed petition.
Urban Design:	No Comment
HANDS:	No Comment
Housing Authority:	No Comment
SHED:	No Comment

PLANNING STAFF DISCUSSION:

The requested designation would permit a variety of uses, all of which are "limited business" in nature. The Comprehensive Plan indicates that commercial uses would be appropriate for this area. The Lima Road frontage is already developed as a major arterial for traffic, and would not be adversely impacted by this petition. The residential properties to the east would be afforded screening/buffering from the Lima Road activities by the development of this ground.

The proximity of this property to the Smith Field flight pattern may cause noise and other disturbance which would not be totally acceptable to residential developments. Business locations would not have the same compatibility problems due to the primary use, etc.

We feel that this petition would be in keeping with the Comprehensive Plan.

RECOMMENDATION: Approval

The City of Fort Wayne
LAND USE MANAGEMENT
Division of Community Development & Planning

6 January 1986

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-12-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
6th day of January 1986.

Melvin O. Smith
Secretary

FACT SHEET

Z-85-12-08

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

6300 No. Clinton Street

Reason for Project

To construct a Day Care Facility.

Discussion (Including relationship to other Council actions)

16 December 1985 - Public Hearing

b) Bill No. Z-85-12-08 - From RA to B-1-B
Change of Zone #168
6300 Block No. Clinton Street

John Police, with CE&M, Architects appeared before the Commission for Becky Arnold the realtor for the property. Mr. Police stated that the rezoning request is specifically for the construction of a day care center with a capacity of 87 to 95 children. He stated that they have talked about the need to rezone the entire 4.5 acres. He stated that they are very willing to modify the request to the 1.2 acres, the southeast corner along Clinton Street. He stated that the anticipated future use of the site, if it were to be rezoned, was to allow the remaining 3.7 acres ±, to become residential, with the intention of selling off some 3 to 5 residential lots. He stated the residences would be served by a private drive that would also serve the day care center.

Martin Miller, realtor, representing the listing of the property appeared before the Commission. Mr. Miller stated that he represented the Luthern Church Indiana District Church Extension Fund. He stated that the committee is in favor of the petition and feels it is an excellent land use.

Mrs. Kenna questioned that it was a business and not a church project.

Mr. Police stated it was a private enterprise.

Mrs. Kenna questioned how long the church had owned the property.

Mr. Miller stated since July 1969.

Pastor of the Gethasamene Luthern Church which is immediately south of and contiguous to the property in question appeared before the Commission. The Pastor stated that about 7 or 8 years ago, there was a projected apartment complex for this property. He stated that it was pointed out that this was a ponding area for Crestwood, Sherwood Terrace and Springwood. He stated that at that time the request to put in the apartments was denied because of the water problems. He stated that they were under the impression that this was forever to be a ponding area. He stated they are concerned and in opposition to the request

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Lila Schmidt & Lawrence Jung **City Department** **Other**
Opponents	**Groups or Individuals** David Winters Gethasamene Luthern Church **Basis of Opposition** -adverse impact on surroundi area -add to water runoff problems
Staff Recommendation	☐ For ☒ Against **Reason Against** -adverse impact on surroundi area -not compatible with Compre- hensive Plan
Board or Commission Recommendation	**By** ☐ For ☒ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for condition
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pass

DETAILS

because just directly to the south of them is Washington Square and they are now victims of the runoff from Washington Square. He stated that about once every 5 years all of the their floor space will be covered with water from the runoff presently. He stated that they have a licensed day care (Day Care of Allen County) in their building. He stated they would at least expect to have a drainage easement on the south line of the parcel that would relieve them of any water aggravations that development on this property would cause.

Steve Smith questioned if he were not opposed if they received a drainage easement, or they were still opposed even with a drainage easement.

The Pastor stated that they would like to see the drainage easement be a part of this request. He stated he felt it difficult to be against a day care center. He stated they are not against the day care center, they question the wisdom of it with a United Way Agency already next door.

Duane Embury questioned if they had considered purchasing the property.

The Pastor stated that in 1973 they did make an offer on the property but the offer was declined.

Mrs. Kenna questioned if this property was in some ponding area or within the floodway fringe. Mrs. Kenna questioned if the property would not be eligible for a variance due to a hardship because of its water problems. She stated it might be better to go through the Board of Zoning Appeals.

Ben Eisbart suggested that the petitioner meet with the staff and see if indeed it does classify as a hardship, the 1.2 acres, and see if they can come to some compromise.

The Pastor stated his opposition would be to the rezoning of the entire of the area.

Gloria Wilson, Associate Director of Child Care for Allen County, she stated that they are the agency that in September opened their 6th day care center, which is located in Gethasamane Lutheran Church. She stated that they are licensed for 72 children. She stated they have a potential to grow within the building.

Ben Eisbart questioned if they was a certain criteria for children attending their day care facility as opposed to a day care center which is for profit.

Ms. Wilson stated that their agency is primarily for low-income parents or children are referred because of abuse or neglect. She stated that everyone their comes under an income criteria. She stated if they had any openings they could serve anyone, but based on their other centers they are almost always full and have a waiting list of low-income children.

David Winters, 6536 Baytree Drive, appeared before the Commission. Mr. Winters stated that he was opposed because developing it would only add to the water problems they already have in the area. He stated that in order to have a drive to the property they would have to fill because the land slopes down from North Clinton.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Mr. Nelson, owner of Lot #17 on Baytree Drive appeared befor the Commission. Mr. Nelson stated that he was opposed to th rezoning because of the water problems. He stated that he lar has started to erode because of the water runoff. He state this would cause more runoff. He stated that it is at least of 4 feet down from North Clinton to this property and it woul have to be filled in order to put in an entrance to the property

John Police stated that the petitioners had spoken to the Arm Corps of Engineers and they show the flooding area on the eas side of North Clinton.

Duane Embury stated that is true on the Federal map, but h stated there is such a thing as a local drainage shed which goe through there and is on record in Water Pollution Contro Engineering and the Allen County Drainage Board.

Mrs. Kenna stated that she would like to then re-emphasis tha the petitioner meet with the staff and consider a variance fr the Board of Zoning Appeals on the basis of a hardship.

Lila Schmidt, the petitioner, stated that her day care cente would be strictly for parents who needed a full day situatio for their children. She stated that it would a for profi organization.

Ben Eisbart stated that the petitioner should meet with Duan Embury and figure out exactly what the status of the propert was with regard to flood plain, local drainage shed, or whatev and then come back to the Commission with those findings and w could work from their.

There was no one else present who wished to speak in favor of o in opposition to the proposed rezoning.

30 December 1985 - Business Meeting

Motion was made to return the ordinance to th Common Council with a DO NOT PASS recommend- ation, motion carried.

Of the nine members present - 8 voted in favor of denial - 1 did not vote.

Project Start DATE: November 15, 1985

Projected Completion or Occupancy **Date** 8 January 1986

Fact Sheet Prepared by **Date** 8 January 1986

Patricia Biancaniello

Reviewed by **Date** 1/9/86

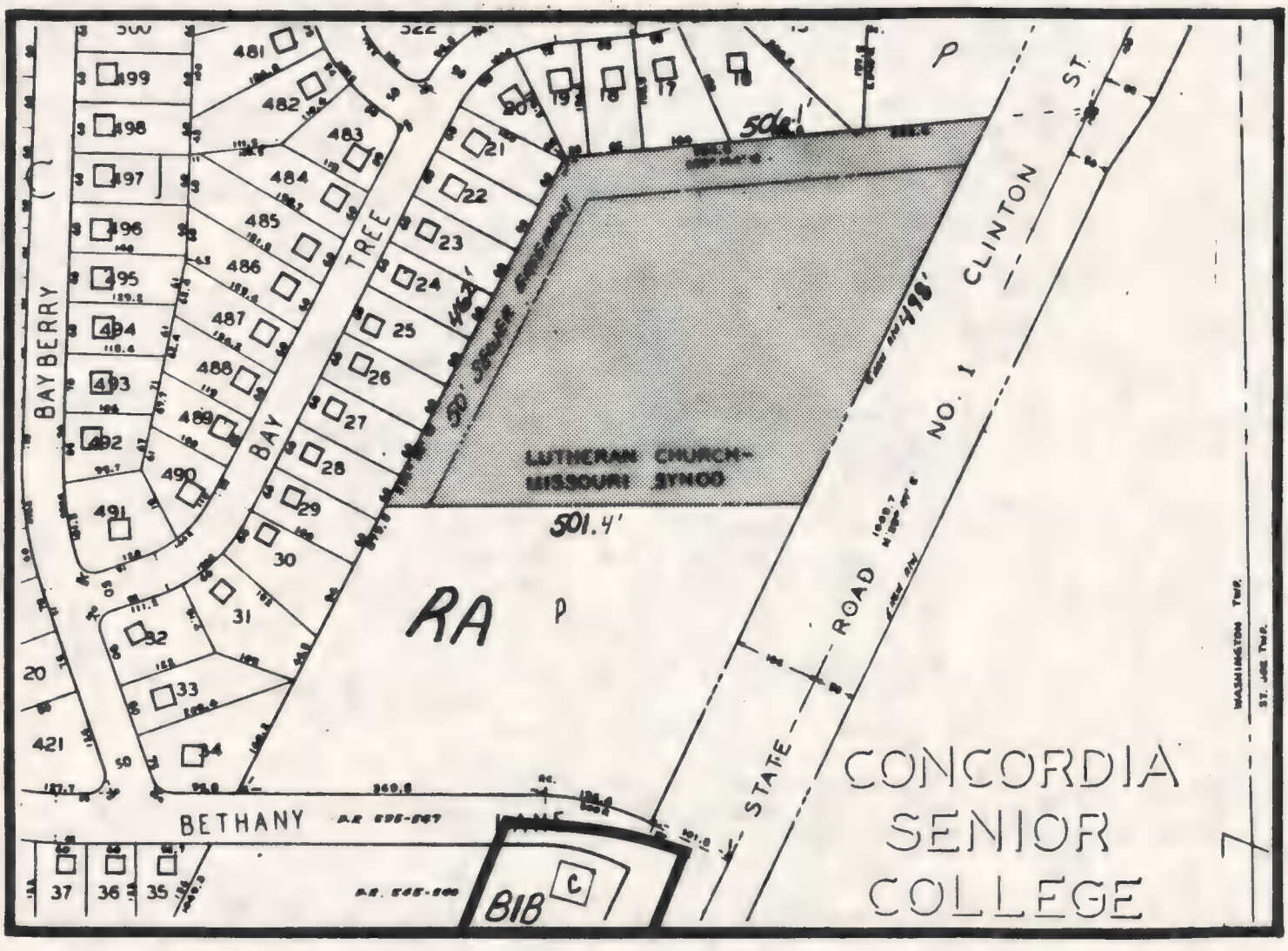
Reference or Case Number

ZONING PETITION #168

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-A DISTRICT TO A B-1-B DISTRICT.

MAP NO. 0-38

COUNCILMANIC DISTRICT NO. 3



Zoning:

RA RESIDENCE 'A'

B1B LIMITED BUSINESS 'B'

Land Use:

- ☐ SINGLE FAMILY
- C COMMERCIAL
- P CHURCH

Bill # Z-85-12-08

NORTH

Scale: 1"=200'

Date: 11-21-85

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 10, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-12-98; and

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on December 16, 1985;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will be injurious to the public health, safety, morals and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 30, 1985.

Certified and signed this
6th day of January 1986.

Melvin O. Smith
Secretary

Change of Zone #168

PROPOSAL: Lila Schmidt and Lawrence Jung, petition for a change of zone from RA to B-1-B.

GENERAL INFORMATION:

Location:	6300 Block of North Clinton Street
Legal Description:	Metes & Bounds in File
Existing Zoning:	RA
Size of Property:	5.7 acres
Surrounding Land Use & Zoning:	North - RA - Church South - RA - Church East - RA - Concordia Sr College West - RA - SFR
Reason For Request:	Child Care Center
Applicable Regulations:	RA is primarily a residential zoning classification.

SPECIAL INFORMATION:

Public Utilities:	Available in the general area.
Physical Characteristics:	
Comprehensive Plan:	The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing land uses and should not establish an undesirable precedent in the area to be developed. The overall goal in the Outer Ring
Neighborhood Planning:	There is no Neighborhood Plan to cover the area in the proposed petition.
Urban Design:	No Comment
HANDS:	No Comment
Housing Authority:	No Comment
SHED:	No Comment

PLANNING STAFF DISCUSSION:

The B-1-B classification would permit a number of uses, ranging from grocery stores to service stations. The current land use in this area is residential, with a B-1-B area located to the south (between Bethany Lane and Washington Center Road).

The Comprehensive Plan indicates this area to be residential in usage, and we are not aware of any extenuating circumstances that would cause modification to that plan.

Approval of this petition would encourage commercial expansion into residential area, and would constitute "spot zoning". Approval would additionally create a situation in which permitted uses could adversely impact the surrounding area, and add to the already existing heavy traffic flows, and associated safety concerns.

We feel that deviations from the Comprehensive Plan should only be allowed when circumstances have altered the validity of that plan, or have placed unreasonable developmental hardship on those individual properties. We do not feel that this is the case.

RECOMMENDATION: Denial

1) Approval would adversely impact the surrounding area.
2) Approval would encourage similar petitions, expanding commercial uses into residential areas.
3) Approval is not compatible with the Comprehensive Plan.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

213/85/E
214/85/E
215/85/E
216/85/E
217/85/E
218/85/E
219/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 213/85/E, 214/85/E, 215/85/E, 216/85/E, 217/85/E, 218/85/E, 219/85/E)

I hereby certify that I did this 20th day of December, 1985 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. (see above) of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

J. D Corradino

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 213/85/E

(Adopted December 20, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 181/85/D: IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 20, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 20, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

Villa Capri Apartments -- 520 feet east of the east edge line of Anthony Boulevard and 170 feet north of the north edge line of Fox Point Trail
1923 Fox Point Trail

REGULATORY RESOLUTION NO. 214/85/E

(Adopted December 20, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 183/85/E: STOP INTERSECTION (EMERGENCY): AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 20, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 20, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Papermill Crossing -- stop -- for Inland Trail

REGULATORY RESOLUTION NO. 215/85/E

(Adopted December 20, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 185/85/E: SPEED LIMIT 30 M.P.H. (TEMPORARY) (EMERGENCY): AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 20, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 20, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

SPEED LIMIT 30 M.P.H. (TEMPORARY) (EMERGENCY)

Bluffton Road -- from Engle Road to Broadway

REGULATORY RESOLUTION NO. 216/85/E

(Adopted December 20, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 186/85/E: NO PARKING 8 A.M. to 9 A.M. and 3 P.M. to 4 P.M. (EMERGENCY): AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 20, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 20, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING 8 A.M. to 9 A.M. and 3 P.M. to 4 P.M. (EMERGENCY)

Lynn Avenue -- both sides -- from Kensington Avenue to Woodward Avenue

REGULATORY RESOLUTION NO. 217/85/E

(Adopted December 20, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 187/85/E: IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 20, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 20, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

Oakbrook Shopping Center 1850 Bluffton Rd.	–	480 feet east of the east edge line of Brooklyn Avenue and 400 feet north of the north edge line of Bluffton Road (4 stalls)

REGULATORY RESOLUTION NO. 218/85/E

(Adopted December 20, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 188/85/E: SPEED LIMIT 35 (EMERGENCY): AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 27, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 20, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

SPEED LIMIT 35 (EMERGENCY)

South Coliseum Boulevard -- from 300 feet north of Reynolds Street to New Haven Avenue

REGULATORY RESOLUTION NO. 219/85E

(Adopted December 20, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to DELETE: NO PARKING 3 P.M. to 6 P.M. (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 19, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective December 20, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE: NO PARKING 3 P.M. to 6 P.M. (EMERGENCY)

South Hanna Street — west side — from Buchanan Street to Lasselle Street

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

1/86/E
2/86/D
3/86/E
4/86/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 1/86/E, 2/86/D, 3/86/E, 4/86/E)

I hereby certify that I did this 10th day of January, 1986 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 1/86/E, 2/86/D, 3/86/E & 4/86/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.

T. D. Canales

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 1/86/E

(Adopted January 10, 19 86)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to DELETE: NO PARKING 3 p.m. to 6 p.m. (EMERGENCY) and 90 MINUTE PARKING 8 a.m. to 3 p.m. (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated December 30, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective January 10, 19 86, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE: NO PARKING 3 p.m. to 6 p.m. (EMERGENCY)

Broadway -- west side -- from Stophlet Street to Swinney Avenue

90 MINUTE PARKING 8 a.m. to 3 p.m. (EMERGENCY)

Broadway -- west side -- from Stophlet Street to Swinney Avenue

REGULATORY RESOLUTION NO. 2/86 /D

(Adopted January 10, 19 86)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-51 of said chapter delegates to this Board authority to DELETE: NO PARKING (DELEGATED)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 3, 19 86, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-51 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective January 10, 19 86, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE: NO PARKING (DELEGATED)

Lennox Avenue -- south side -- from Harrison Street to 140' east thereof

REGULATORY RESOLUTION NO. 3/86 /E

(Adopted January 10, 19 86)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 190/85/E: NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 6, 19 86, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective January 10, 19 86, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Calhoun Street -- west side -- between Fourth Street and Fifth Street

REGULATORY RESOLUTION NO. 4/86/E

(Adopted January 10, 1986)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 191/85/E: IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY): AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 7, 1986, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective January 10, 1986, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

1303 Elm Street -- south side -- from 40' west of Center Street to 20' west thereof

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regluar Session, held on Tuesday the 14th day of January, 19 86, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19____,

_____
SANDRA E. KENNEDY, CITY CLERK